


SAFE DRINKING WATER ACT (SDWA)9-16-D. Emergency TROs (1200 TN 350 9-16-D)

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, including sections 1431 and 1450(f), to refer requests for emergency Temporary Restraining Orders under the SDWA to the Department of Justice and to the appropriate United States Attorney.
2. **TO WHOM REDELEGATED.** Director, Enforcement and Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. Any official exercising this authority must obtain the advance concurrence of the regional counsel or designee on the legal sufficiency of the referral. The RC may waive concurrence in writing.
 - b. Any official exercising this authority must notify the assistant administrator for the Office of Enforcement and Compliance Assurance before exercising this authority. The AA for OECA may waive the notification requirement in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48,942 (1977).
 - b. For referral of other civil actions under SDWA, see Delegation 9-16-A.



Gregory Sopkin
Regional Administrator



Date